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5 UNITED STATES DISTRICT COURT  
6 WESTERN DISTRICT OF WASHINGTON  
7 AT TACOMA

8 JOSHUA D. LAMBERT,

9 Plaintiff,

10 v.

11 XLOMARA HUERTAS,

12 Defendant.

CASE NO. 3:19-cv-05980-RJB-JRC

ORDER

13 The Court, having reviewed the Report and Recommendation of Magistrate Judge J.  
14 Richard Creatura, objections to the Report and Recommendation, if any, and the remaining  
15 record, does hereby find and ORDER:

- 16 (1) The Court adopts the Report and Recommendation (Dkt. 39).  
17 (2) Defendants' Motion to Dismiss (Dkt. 24) is denied without prejudice.  
18 (3) The case is re-referred to Magistrate Judge J. Richard Creatura.  
19 (4) The Clerk is directed to send copies of this Order to Plaintiff, counsel for  
20 Defendants, and to the Hon. J. Richard Creatura.

21 **DATED** this 30<sup>th</sup> day of March, 2020.

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23 ROBERT J. BRYAN  
24 United States District Judge